

Remarks

I. STATUS OF THE CLAIMS

Claims 1-16 are pending in this application. Claims 1 and 3 have been amended for clarification. Claims 8 and 15 have been amended to correct a punctuation error.

II. OBJECTIONS TO THE CLAIMS

Claim 8 was objected to for including a typographical error of a period preceding a comma. This error has been corrected in claim 8 and also in claim 15.

III. Rejections Under 35 U.S.C. § 112

Claim 1 stands rejected under 35 U.S.C. § 112 as being indefinite based on several terms deemed unclear by the Examiner.

“the gathered register information being potentially incomplete, out of chronological order, or from multiple sources”

This language has been deleted from the claim. Applicants considered it to be a non-limiting recitation explaining a potential utility for doing the balancing, i.e., reconciling postage meter register information that was potentially problematic for various reasons.

“gathering postage setting information while forming mail pieces”

This language has been deleted from claim 1. However, claim 3 also included the phrase “postage setting,” and has been amended to instead recite “postage meter print value setting information.” Thus it should be clear that this term is referring to the value that the postage meter is set to print, for example at today’s rates, the meter setting could be at 41 cents for a standard first class letter.

“the step of accounting considering . . . ”

This has been clarified to read “the step of accounting further including considering.”

With these amendments and comments, it is submitted that these rejections under §112 may be withdrawn.

IV. Rejections Under 35 U.S.C. § 103

Claims 1-16 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Publication US2004/0193547 to Brookner (“Brookner”) in view of U.S. Patent 5,777,883 to Lau (“Lau”) and U.S. Patent 6,009,416 to Pintsov (“Pintsov”).

The primary reference relied upon by the Examiner is Brookner. As will be explained further, Brookner is directed to a different type of system for solving a different problem than that recited in independent claim 1.

Claim 1 is directed to a system for automated account balancing of postage funds that are printed and spent during mail piece creation on an inserter system. For various reasons explained in the specification, after mail pieces have been created, it can be difficult to reconcile the funds remaining on the postage meter registers with the mail creation work that was done. For this purpose, the present invention provides an accounting technique that can automate the reconciliation process and simplify the computations needed to do the account balancing.

Part of the new process is the step of "defining mail piece blocks" as recited in claim 1. A block is a conceptual construct that represents a portion of the postage meter register data that appears not to have any internal problems or inconsistencies. At the boundaries of the "blocks" is where we find the "gaps" of missing information, or other problems. Definition of these conceptual blocks allows the final "accounting" step to efficiently focus on correcting problems at the gaps.

With this understanding in mind, it is evident that neither Brookner, nor the secondary Lau or Pintsov references include the "defining mail piece blocks," "identifying gaps between the defined mail piece blocks," or "accounting for mail pieces within the gaps" recited in claim 1.

The Examiner has acknowledged that Brookner does not include the "identifying" or "accounting" steps. Brookner is directed to an improvement for securely providing mail piece information to the Postal Service to ensure that discounts are properly allowed. However, Brookner says nothing about automatic balancing of the mailers own mail processing postal funds accounts.

Brookner does refer to "batches" which the Examiner appears to equate with the recited accounting tool of "blocks" in claim 1. However, "batches" are defined in Brookner as when "[a]ll frankings are, for example, of the same class and weight." (Paragraph 51). Thus, it can be seen that reliance on Brookner's reference to "batches" does not correspond to accounting "blocks" as used in the claims of the present application.

The Pintsov and Lau references fail to overcome the shortcomings of Brookner. With respect to Lau, the Examiner relies upon that reference for the proposition that it would have been obvious to "include identifying all mail pieces not processed for the mail run." Page 5, Office Action. However, it can be seen that the rejected independent claim 1 has nothing to do with identifying mail pieces that were not processed. Rather, the claim is directed to balancing postage fund accounts for mail pieces that were produced.

Accordingly, it is submitted that reliance on Lau for the missing features of claim 1 is incorrect.

For these reasons, it is submitted that independent claim 1 and its dependent claims 2-16 should be found allowable in view of the asserted references. It is respectfully submitted this application is in a condition for allowance. Please contact the undersigned representative if there are any questions regarding this application.

Respectfully submitted,

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